

Excerpts
Planning Commission Minutes
July 9, 2003

Application No. UP-619-03, Daniel and Lorinda Forrest: Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 2, number 8) of the York County Zoning Ordinance, to authorize the commercial use of an existing stable located at 516 Yorktown Road. The 16-acre parcel is located on the south side of Yorktown Road (Route 706), approximately one half mile east of its intersection with Hampton Highway (Route 134) and is further identified as Assessor's Parcel No. 30-181. The property is zoned RR (Rural Residential) and is designated for Low Density Residential development in the Comprehensive Plan.

Ms. Maggie Hedberg presented the summary of the staff memorandum to the Commission dated July 1, 2003, in which the staff recommended conditional approval by adopting proposed Resolution PC02-18.

Mr. Ptasznik inquired as to whether the applicants are allowed to keep their own horses on the property. Mr. Carter said the use permit application addresses commercial stables and approval would in no way prevent the applicants from stabling their own horses.

Mr. Heavner inquired about signage, and Ms. Hedberg said signs would be authorized according to the terms of the Zoning Ordinance, no greater in size than 12 square feet or six feet in height.

Mr. Harvell said he had visited the site and found it to be very neat and clean, with healthy-looking and well-groomed animals.

Mr. Simasek opened the public hearing.

Mr. Daniel Forrest and Ms. Lorinda Forrest, 125 River Road, Poquoson, spoke in behalf of their application. They want to board at least seven horses. Mr. Forrest said his family has a long history of boarding and stabling animals on the property and he would like to keep the custom alive. There are trails and wooded areas on the property and one residence directly next to the property. The neighboring residents and strangers who pass by have been complimentary of the operation, and Mr. Forrest did not recall ever receiving any complaints. His son lives on the property as caretaker and Mr. Forrest said he will continue in that role.

In response to a question Mr. Ptasznik raised about whether the point of a fence is within the property line, **Mr. Forrest** said he could not remember a time when that fence was not there and added that to his knowledge the property had never been surveyed. It has been in his family since pre-Civil War times.

Mr. Barba asked the number of horses presently stabled at the site and Mr. Forrest said there are presently four horses and a goat.

Mr. Terry Stadheim, 114 Tabb Lane, has lived next to the Forrest property since 1975, having moved there because of the rural setting and the animals. His family has had no negative impacts living there and he recommended approval because he wants the operation to continue.

Chair Simasek closed the public hearing.

Mr. Ptasznik believed the stables were a good use of the land and hoped the area could remain rural. He moved the adoption of Resolution PC02-18.

PC03-18

On motion of **Mr. Ptasznik**, which carried 7:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO
AUTHORIZE A COMMERCIAL STABLE ON PROPERTY LOCATED AT 516
YORKTOWN ROAD (ROUTE 706)

WHEREAS, Daniel W. and Lorinda D. Forrest have submitted Application No. UP-619-03 to request a Special Use Permit, pursuant to Section 24.1-306 (category 2, number 8) of the York County Zoning Ordinance, to authorize a commercial use of an existing stable on approximately 16 acres located on the south side of Yorktown Road (Route 706), approximately one half mile east of its intersection with Hampton Highway (Route 134) and further identified as Assessor's Parcel No. 30-181; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application; and

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 9th day of July, 2003, that it does hereby transmit Application No. UP-619-03 to the York County Board of Supervisors with a recommendation of approval subject to the following conditions:

1. This Special Use Permit shall authorize commercial use of an existing stable located at 516 Yorktown Road on approximately 16 acres of property on the south side of Yorktown Road (Route 706), approximately one half mile east of its intersection with Hampton Highway (Route 134) and further identified as Assessor's Parcel No. 30-181.
2. All activities shall comply with Section 24.1-414, Standards for Horsekeeping and Commercial Stables of the York County Zoning Ordinance and Chapter 4, Article II, Livestock, of the York County Code.
3. The commercial stable shall be limited to boarding a maximum of seven (7) horses.
4. The applicant shall provide a minimum of four (4) off-street parking spaces in conjunction with the commercial stable operation.
5. The applicant shall provide the County with a soil conservation and management plan prepared by the Colonial Soil and Water Conservation District which shall include:
 - a. a nutrient management plan for the proper storage and application of animal waste;

- b. an erosion control plan to ensure the integrity of the slopes; and
 - c. a best management practices program for controlling and treating surface runoff.
6. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

ExcrUP619
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